

Application Serial No. 10/711,721
Response dated November 1, 2006
Reply to Office Action of October 5, 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/711,721
Applicant: Cory Wajda
Art Unit: 2812
Title: **A METHOD OF FORMING A THIN COMPLETE HIGH-PERMITTIVITY DIELECTRIC LAYER**
Attorney Docket: TTCA-002
Confirmation No.: 5720

Cincinnati, Ohio 45202

November 1, 2006

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

This paper is responsive to the Office Action mailed October 5, 2006. The Examiner has indicated that claims 1-21 are pending in the application and are subject to restriction and/or election requirement. Specifically, we understand that the Examiner has grouped the claims between Species A directed to oxides, and Species B directed to silicates.

Applicants traverse the election requirement between Species A and Species B. Applicants argue that oxides and silicates are not independent, mutually exclusive species. Applicants assert that silicates (metal + oxygen + silicon) is a further limitation of oxides (metal + oxygen). Evidence of Applicants position is found in paragraphs 41-43 of the instant specification where the oxide, e.g., hafnium oxide (HfO_2), can be deposited using a metal oxide precursor, e.g., a $\text{Hf}(\text{OBut})_4$ precursor, and the silicate, e.g., hafnium silicate (HfSiO_3), can be

deposited using the same metal oxide precursor, along with a silicon-containing gas. Thus, the silicate deposition could be a dependent claim of the oxide deposition by reciting the further limitation of including a silicon-containing gas in the process chamber. In addition to oxides and silicates being related and not mutually exclusive, there is no serious burden on the Examiner if restriction is not required.

In the event the Election Requirement is maintained, Applicants hereby elect Species A directed to oxides. Claims 1 and 3-21 are generic, and thus read on elected Species A. Claim 2 reads on both Species A and Species B, and thus, is also generic. Examination on the merits of elected Species A in claims 1-21 is respectfully requested.

Respectfully submitted,

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